almish



DEC 2 3 2002

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

MICHAEL L. WILLIAMS, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF OKLAHOMA

In Re:)
CHARLES ROBERT McKEE, III,) Case No. 01-00320-R) Chapter 7
Debtor,	
KAREN CARDEN WALSH, TRUSTEE,) Adversary No. 02-0266-R
Plaintiff,))
vs.)
POINT TO POINT PIPELINE CO., INC.,) F. Sirvice Reflecting Such water.
Defendant.)

AMENDED AGREED JUDGMENT

Upon consideration of the Complaint filed herein, this Court finds as follows:

- 1. This is a core proceeding pursuant to 28 U.S.C. Section 157(b)(2).
- 2. This Court has jurisdiction of the subject matter by virtue of 28 U.S.C. Section 1334.
- 3. Venue is proper with this Court pursuant to 11 U.S.C. Section 1409.
- 4. This Complaint is brought to sell both the Estate's interest and a co-owners interest in property pursuant to 11 U.S.C Section 363(h) and Bankruptcy Rule 7001.
- 5. The Debtor filed a Voluntary Petition for Relief under Chapter 11 on January

DOCKETED 12/36/02 Clerk, U.J. Bunturney Court Northern District of Ollubona

- 30, 2001.
- 6. The case was converted to a proceeding under Chapter 7 on August 6, 2002.
- Karen Carden Walsh is the duly appointed, qualified and acting Trustee of the above-captioned proceeding.
- 8. On December 7, 1997, the Debtor and his non-filing spouse, Joy McKee, purchased a 1976 Chrisandra Motor Yacht named Point to Point, official hull identification #597254 ("Point to Point").
- On March 31, 1998, Debtor and Joy McKee transferred Point to Point to Defendant herein.
- 10. On April 29, 2002, the transfer of Point to Point from Debtor to Defendant was avoided.
- 11. To the extent that Joy McKee's interest in Point to Point is still held by

 Defendant, the Trustee seeks a Judgment from this Court allowing the sale of

 Point to Point free and clear of the interest of Defendant as co owner.
- 12. A determination of the interest of Defendant, if any, in Point to Point, should be determined at a later date by this Court.
- 13. Joy McKee consents to the sale.
- 14. Partition in kind regarding Point to Point among co owners is impracticable.
- 15. Sale of the Estate's interest in Point to Point would realize significantly less for the Estate than sale of Point to Point free of the interest of the Defendant.
- 16. The benefit to the Estate of a sale free of the interest of the Defendant outweighs the benefit to the Defendant.

IT IS THEREFORE ORDERED, DECREED AND ADJUDGED that Karen

Carden Walsh, Trustee is authorized to sell Point to Point free and clear of any interest of Defendant.

Dated this 23 day of December, 2002.

APPROVED FOR ENTRY:

DANA L. RASURE

UNITED STATES BANKRUPTCY JUDGE

RIGGS, ABNEY, NEAL TURPEN, ORBISON & LEWIS

Karen Carden Walsh OBA No. 14690 502 West Sixth Street

Tulsa, Oklahoma 74119-1010

(918) 587-3161

Fax (918) 587-9708

ATTORNEYS FOR TRUSTEE

POINT TO POINT PIPELINE CO., INC.

Charles Robert McKee, III, President